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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

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| Office Action Summary | Application No. 10/781,029 | Applicant(s) STOCHOSKY, MICHAEL |
| | Examiner GERALD SMARTH | Art Unit 2146 |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If no period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED. (35 U.S.C. § 133).

Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) Responsive to communication(s) filed on 02/05/2008.

2a) This action is FINAL. 2b) This action is non-final.

3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) Claim(s) 1-38 is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5) Claim(s) _____ is/are allowed.

6) Claim(s) 1-38 is/are rejected.

7) Claim(s) _____ is/are objected to.

8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) The specification is objected to by the Examiner.

10) The drawing(s) filed on _____ is/are: a) accepted or b) objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a) All b) Some * c) None of:
 1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) Notice of References Cited (PTO-892)
 2) Notice of Draftsperson's Patent Drawing Review (PTO-948)
 3) Information Disclosure Statement(s) (PTO/SB/08)
 Paper No(s)/Mail Date _____

4) Interview Summary (PTO-413)
 Paper No(s)/Mail Date. _____

5) Notice of Informal Patent Application
 6) Other: _____

DETAILED ACTION

1. It is hereby acknowledged that 10/781029 the following papers have been received and placed of record in the file: Remark date 02/05/2008.
2. Claims 1-38 are presented for examination. Claims 1, 14, and 26, & 38 are independent claims. The remaining claims are dependent on claims 1, 14, and 26, & 38. Claims 1-15, 18, 23, 25- 27, 30, 35, 37 are being amended. Claim 38 is being added.
3. The Rejections are respectfully maintained and reproduced infra for application's convenience.

Specification

4. The specification is objected to as failing to provide proper antecedent basis for the claimed subject matter. See 37 CFR 1.75(d) (1) and MPEP § 608.01(o). Correction of the following is required:

Claims 1-13 & 38, uses the phrase "instant messaging module", which is not explicitly disclosed in the specifications. It is unclear what the instant messaging module is being defined as, and can be interpreted as software pro se, which is considered to be non-statutory.

Claims 26-37 uses the phrase "computer-readable medium", which is not explicitly disclosed in the specifications. It is unclear how computer-readable medium is being defined, and can be interpreted as software *pro se*, which is considered to be non-statutory.

Appropriate correction is required.

Claim Rejections - 35 USC § 101

5. 35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

Claims 1-15 & 38 are rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter. The claims are directed towards software, which *per se* is non-statutory.

The claims are directed towards content daemons, and modules (application, instant messaging, & communication) which can be considered to be software *per se*. This is considered to be directed towards software *per se*, which lacks structural and functional relationship. Thus is considered to be non-statutory.

Claim Rejections - 35 USC § 103

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

7. Claims 1-38 are rejected under 35 U.S.C. 103(a) as being unpatentable over

Briggs et al (7080139) in view of Liversedge (2002/0076025),

Regarding claim 1, Briggs teaches An apparatus for sharing identity-based activity with at least one peer, comprising: a content daemon to detect and store identity-based activity;

(Briggs discloses the present invention includes methods and devices for passively tracking and selectively sharing user experiences with communication devices, including computers, web-enabled telephones, and PDAs; Abstract)

(Briggs further discloses aggregation tools and processes assemble statistics about user experiences across different bases, such as buddy lists, categories of users, and all service participants; Page 2 lines 38-41)

and an instant messaging module, **(Briggs discloses the extension following the link may identify a particular instant messaging tool; Column 8 line 8-9)**

communicatively coupled to the content daemon, **(Briggs discloses each matched entry is added 1627 to the corresponding shared users file within the activity viewer database ("AVD") 1610; Column 13 lines 34-38)** to send an indication of identity-based activity to at least one peer, the identity-based activity related to a user logged-in to the instant messaging module. **(Briggs discloses so-called "buddies" identified on buddy lists of instant messaging products can share selected aspects of their computer usage experiences.; Column 2 lines 28-30) (Briggs**

further discloses aggregation tools and processes assemble statistics about user experiences across different bases, such as buddy lists, categories of users, and all service participants; Page 2 lines 38-41

Briggs does not directly teach an instant message module.

However Liversidge does teach an instant message module. (Liversidge discloses an instant messaging server 84 which interacts with the collaboration manager 76 to provide specialized services with respect to the management and control of instant messaging sessions; Page 7 paragraph 73 lines 25-29)

It would be obvious to one of ordinary skill in the art before the time of the invention to modify the method and apparatus of sharing and tracking communication device experiences to include an instant messaging module of Liversidge. One of ordinary skill in the art would have been motivated to make this modification in order to have a instant messaging module to take place of the instant messaging provider such as Yahoo. RTM, which Briggs uses. This will allow for the instant message server to be on site for maintenance and upgrades. *Furthermore, each user of the Yahoo.RTM. Messenger service must define their own group of friends. There is no central facility for defining a group or a team, and there is no method of controlling congruence between two groups defined by individual users. Consequently, although Yahoo.RTM. Messenger facilitates message exchange, it is not adapted to provide a cohesive collaboration environment for geographically-dispersed teams working at a professional level; Page 1 paragraph 9 lines 12-19.*

Thus the combination of Briggs and Liversidge teach the limitation of claim 1.

Regarding claim 2, Briggs taught the apparatus of claim 1, as described above. Briggs further teaches wherein identity-based activity comprises content customized by the user that is accessible to at least one peer. (**Briggs discloses User ID, action, item, location, category, rating, emoticon, comment, time, or other relevant field may filter the displayed data from the AVD. The activity viewer of the user refreshes the activity display automatically. The frequency for this refresh may be set by a system administrator and may be modified by the user; Column 13 line 42-43**)
(Briggs further discloses aggregation tools and processes assemble statistics about user experiences across different bases, such as buddy lists, categories of users, and all service participants; Page 2 lines 38-41)

Regarding claim 3, Briggs taught the apparatus of claim 2, as described above. Briggs further teaches wherein the customized content comprises a current online auction posted by the user. (**Briggs fig 8D**)

Regarding claim 4, Briggs taught the apparatus of claim 1, as described above. Briggs further teaches wherein identity-based activity comprises instances of active content by a user logged-in to the instant messaging module. (**Briggs discloses the user selects between sending the item, a link to the item or other item-related information to a buddy who has enrolled to share activity data or to a person listed as an instant messaging buddy; Column 7 line 42-44**)

Regarding claim 5, Briggs taught the apparatus of claim 4, as described above. Briggs further teaches wherein active content comprises multimedia files played back in the apparatus. (**Briggs discloses the VUD and VLD databases are readily extended to a visited item database 100, which could include items on a computer, intranet, extranet or any network. These items may be data such as multimedia files, XML documents, database searches or virtually any other material. Column 3 line 39-43**)

Regarding claim 6, Briggs taught the apparatus of claim 1, as described above. Briggs teaches further comprises an application module to view identity-based content, and wherein the content daemon detects and stores identity-based activity in the application module (fig 13). (**Briggs discloses an activity viewer database ("AVD") 1610 can store information associating particular users with URLs, locations or items; Column 4 line 1-3. Brigs further discloses it includes the activity, internal flag settings, the URL, the page title, the logo, the username, the timestamp & category for an entry;**)

Regarding claim 7, Brigs taught the apparatus of claim 1, as described above. Brigs further teaches wherein the content daemon detects and stores identity-based activity by communicating with an activity server that hosts the identity-based activity. (**Brigs discloses FIGS. 12 and 13 are linked by the capture/track connector 1233.**)

Regarding claim 8, Briggs taught the apparatus of claim 1, as described above. Briggs further teaches wherein the content daemon detects and stores identity-based activity after logging-in the user to the instant messaging module (**FIG. 2 is a user interface for logging in or creating a new account**),, and wherein the instant messaging module sends an update to the identity-based activity. (**Fig 8 (Briggs discloses the columns provided in this embodiment include a tick box 852, a buddy name 853, and one or more instant messaging contact links 854; Column 7 line 64-65)**)

Regarding claim 9, Briggs taught the apparatus of claim 1, as described above. Briggs further teaches wherein the indication comprises a unique identifier related to the identity-based activity. (**Briggs discloses when sharing is on, rights defined in the ACL provide access for buddies to the user's activity; Column 6 27-28**)

Regarding claim 10, Briggs taught the apparatus of claim 1, as described above. Briggs further teaches wherein the content daemon is part of an operating system running on the apparatus. (**Fig 16 element 1610, 1629**)

Regarding claim 11, Briggs taught the apparatus of claim 1, as described above. Briggs further teaches wherein the instant messaging module further outputs a received indication of recent identity-based activity of another user. (**Briggs discloses the AVD holds users' activity parsed into a format for display via the Activity Viewer. It**

includes the activity, internal flag settings, the URL, the page title, the logo, the username, the timestamp & category for an entry. If a user filters the display of data on the Activity Viewer, data is pulled from this database; Column 4 line 6-7)

Regarding claim 12, Briggs taught the apparatus of claim 1, as described above. Briggs teaches further comprising a content transaction module to enable a transaction related to the identity-based activity. (*Briggs discloses FIG. 8D is a topic sharing interface. Both default and particular user or user group administration is supported. Tick boxes 891 and topic or sub topic names 892 can be used; Column 8 line 1-4*)

Regarding claim 13, Briggs taught the apparatus of claim 1, as described above. Briggs further teaches wherein the apparatus is communicatively coupled to at least one peer through a network. (*Briggs discloses tracked activity may include Internet activity 120, wireless network location track and interaction activity 121 and enterprise intranet activity 122; Column 4 line 65-68; Briggs further discloses so-called "buddies" identified on buddy lists of instant messaging products can share selected aspects of their computer usage experiences; Column 2 line 28-33*)

Regarding claim 14, Briggs teaches a method of sharing identity-based activity with a plurality of peers, comprising: detecting identity-based activity; (*Briggs discloses the present invention includes methods and devices for passively tracking and*

selectively sharing user experiences with communication devices, including computers, web-enabled telephones, and PDAs; Abstract)

storing the identity-based activity; (*Briggs discloses one distinction between practicing aspects of the present invention and general database processing is storing user-based information; Column 3 line 43-45*)

and sending an indication of identity-based activity to at least one of the plurality of peers, the identity-based activity related to a user logged-in to an instant messaging module. (*Briggs discloses so-called "buddies" identified on buddy lists of instant messaging products can share selected aspects of their computer usage experiences.; Column 2 line 28-30*) (*Liversidge discloses In addition, the VTE server 40 includes member registration services 78, providing functionality related to member authentication and authorization during user log-in; and utilities services 80 providing functionality related to team administration, including tracking and resolution of alarms, accumulation of various statistics and logs, encryption services and authentication routines. Finally, the VTE server 40 includes a conference manager 82 which interacts with the collaboration manager 76 to provide signaling and messaging functionality required for the initiation and control of communications; an instant messaging server 84 which interacts with the collaboration manager 76 to provide specialized services with respect to the management and control of instant messaging sessions; and a connection manager interface 86 which facilitates interaction between the VTE*

server 40 and the connection manager 52, and so facilitates messaging between each VTE client 4 and the VTE server 40; Page 7 paragraph 73)

Regarding claim 15, Briggs taught the method of claim 14, as described above. Briggs teaches wherein identity-based activity comprises content customized by the user that is accessible to the at least one peer. (Briggs discloses User ID, action, item, location, category, rating, emoticon, comment, time, or other relevant field may filter the displayed data from the AVD. The activity viewer of the user refreshes the activity display automatically. The frequency for this refresh may be set by a system administrator and may be modified by the user; Column 13 line 42-43) (Briggs further discloses aggregation tools and processes assemble statistics about user experiences across different bases, such as buddy lists, categories of users, and all service participants; Page 2 lines 38-41)

Regarding claim 16, Briggs taught the method of claim 15, as described above. Briggs further teaches wherein the customized content comprises a current online auction posted by the user. **(Briggs fig 8D)**

Regarding claim 17, Briggs taught the method of claim 14, as described above. Briggs teaches wherein identity-based activity comprises instances of active content by a user

logged-in to the instant messaging module. (**Briggs discloses the user selects between sending the item, a link to the item or other item-related information to a buddy who has enrolled to share activity data or to a person listed as an instant messaging buddy; Column 7 line 42-44**)

Regarding claim 18, Briggs taught the method of claim 17, as described above. Briggs teaches wherein recently active content comprises multimedia files played back by the user. (**Briggs discloses the VUD and VLD databases are readily extended to a visited item database 100, which could include items on a computer, intranet, extranet or any network. These items may be data such as multimedia files, XML documents, database searches or virtually any other material. Column 3 line 39-43**)

Regarding claim 19, Briggs taught the method of claim 14, as described above. Briggs teaches further comprising: viewing identity-based content; and detecting and storing identity-based activity. . (**Briggs discloses FIGS. 12 and 13 are linked by the capture/track connector 1233**)

Regarding claim 20, Briggs taught the method of claim 14, as described above. Briggs teaches further comprises: detecting and storing identity-based activity independent of viewing identity-based activity (**Briggs discloses an activity viewer database ("AVD")**)

1610 can store information associating particular users with URLs, locations or items; Column 4 line 1-3.)

Regarding claim 21, Briggs taught the method of claim 14, as described above. Briggs teaches wherein the indication comprises a unique identifier related to the identity-based activity. (***Briggs discloses when sharing is on, rights defined in the ACL provide access for buddies to the user's activity; Column 6 27-28***)

Regarding claim 22, Briggs taught the method of claim 14, as described above. Briggs further teaches wherein the detecting comprises detecting identity-based activity of an application module in an operating system. (***Fig 16 element 1610, 1629***)

Regarding claim 23, Briggs taught the method of claim 14, as described above. Briggs teaches wherein the instant messaging module further outputs a received indication of recent identity-based activity of another user. (***Briggs discloses the AVD holds users' activity parsed into a format for display via the Activity Viewer. It includes the activity, internal flag settings, the URL, the page title, the logo, the username, the timestamp & category for an entry. If a user filters the display of data on the Activity Viewer, data is pulled from this database; Column 4 line 6-7***

Regarding claim 24, Briggs taught the method of claim 14, as described above. Briggs

teaches further comprising: enabling a transaction related to the identity-based activity.
(Briggs discloses FIG. 8D is a topic sharing interface. Both default and particular user or user group administration is supported. Tick boxes 891 and topic or sub topic names 892 can be used; Column 8 line 1-4)

Regarding claim 25, Briggs taught the method of claim 14, as described above. Briggs teaches further comprising: communicating with at least one peer through a network.

(Briggs discloses tracked activity may include Internet activity 120, wireless network location track and interaction activity 121 and enterprise intranet activity 122; Column 4 line 65-68; Briggs further discloses so-called "buddies" identified on buddy lists of instant messaging products can share selected aspects of their computer usage experiences; Column 2 line 28-33)

Regarding claim 26, Briggs teaches a computer program product, comprising: a computer-readable medium having computer program instructions and data embodied thereon for sharing identity-based activity with at least one peer, comprising: detecting identity-based activity; *(Briggs discloses the present invention includes methods and devices for passively tracking and selectively sharing user experiences with communication devices, including computers, web-enabled telephones, and PDAs; Abstract) (Briggs further discloses aggregation tools and processes assemble statistics about user experiences across different bases, such as buddy lists, categories of users, and all service participants; Page 2 lines 38-41)*

storing the identity-based activity; (**Briggs discloses one distinction between practicing aspects of the present invention and general database processing is storing user-based information; Column 3 line 43-45**) and sending an indication of recent identity-based activity to at least one peer, the recent identity-based activity related to a user logged-in to an instant messaging module. (**Briggs discloses so-called "buddies" identified on buddy lists of instant messaging products can share selected aspects of their computer usage experiences.; Column 2 line 28-30**) (Liversidge discloses In addition, the VTE server 40 includes member registration services 78, providing functionality related to member authentication and authorization during user log-in; and utilities services 80 providing functionality related to team administration, including tracking and resolution of alarms, accumulation of various statistics and logs, encryption services and authentication routines. Finally, the VTE server 40 includes a conference manager 82 which interacts with the collaboration manager 76 to provide signaling and messaging functionality required for the initiation and control of communications; an instant messaging server 84 which interacts with the collaboration manager 76 to provide specialized services with respect to the management and control of instant messaging sessions; and a connection manager interface 86 which facilitates interaction between the VTE server 40 and the connection manager 52, and so facilitates messaging between each VTE client 4 and the VTE server 40; Page 7 paragraph 73)

Regarding claim 27, Briggs taught the computer program product of claim 26, as described above. Briggs further teaches wherein identity-based activity comprises content customized by the user that is accessible to the plurality of peers. (*Briggs discloses User ID, action, item, location, category, rating, emoticon, comment, time, or other relevant field may filter the displayed data from the AVD. The activity viewer of the user refreshes the activity display automatically. The frequency for this refresh may be set by a system administrator and may be modified by the user; Column 13 line 42-43*)

Regarding claim 28, Briggs taught the computer program product of claim 27, as described above. Briggs teaches wherein the customized content comprises a current online auction posted by the user. (**Briggs fig 8D**)

Regarding claim 29, Briggs taught the computer program product of claim 26, as described above. Briggs further teaches wherein identity-based activity comprises instances of active content by a user logged-in to the instant messaging module. (*Briggs discloses the user selects between sending the item, a link to the item or other item-related information to a buddy who has enrolled to share activity data or to a person listed as an instant messaging buddy; Column 7 line 42-44*)

Regarding claim 30, Briggs taught the computer program product of claim 29, as described above. Briggs teaches wherein active content comprises multimedia files

played back by the user. (**Briggs discloses the VUD and VLD databases are readily extended to a visited item database 100, which could include items on a computer, intranet, extranet or any network. These items may be data such as multimedia files, XML documents, database searches or virtually any other material. Column 3 line 39-43**) (**Briggs discloses A variety of activities may be associated with items other than URLs. Depending on the type of item involved, the user may listen to or watch the item 1461, download the item 1463, purchase the item 1465, put the item on a wish list 1467, transfer the item to a mobile device, such as a cell phone or PDA 1469, or select some other process 1471. In some circumstances, an unrecognized activity may occur 1473, which the system may either ignore or treat as an error condition. A listen to or watch activity 1461 causes the system to invoke a player and to record the action and properties of the item listened to or watched 1462. The recorded information is forwarded for addition to the VUD. A download activity invokes a process, which records the download action and properties of the item downloaded 1464. The recorded information is forwarded for addition to the VUD; Column 12 lines 17-35**)

Regarding claim 31, Briggs taught the computer program product of claim 26, as described above. Briggs teaches further comprising: viewing identity-based content; and detecting and storing identity-based activity. (**Briggs discloses FIGS. 12 and 13 are linked by the capture/track connector 1233**)

Regarding claim 32, Briggs taught the computer program product of claim 26, as described above. Briggs further teaches comprising: detecting and storing identity-based activity independent of viewing identity-based activity. (***Briggs discloses an activity viewer database ("AVD") 1610 can store information associating particular users with URLs, locations or items; Column 4 line 1-3.***)

Regarding claim 33, Briggs taught the computer program product of claim 26, as described above. Briggs further teaches wherein the indication comprises a unique identifier related to the identity-based activity. (***Briggs discloses when sharing is on, rights defined in the ACL provide access for buddies to the user's activity; Column 6 27-28***)

Regarding claim 34, Briggs taught the computer program product of claim 26, as described above. Briggs further teaches wherein the detecting comprises detecting identity-based activity of an application module in an operating system. (***Fig 16 element 1610, 1629***)

Regarding claim 35, Briggs taught the computer program product of claim 26, as described above. Briggs further teaches wherein the instant messaging module further outputs a received indication of recent identity-based activity of another user. (***Briggs discloses the AVD holds users' activity parsed into a format for display via the***

Activity Viewer. It includes the activity, internal flag settings, the URL, the page title, the logo, the username, the timestamp & category for an entry. If a user filters the display of data on the Activity Viewer, data is pulled from this database; Column 4 line 6-7)

Regarding claim 36, Briggs taught the computer program product of claim 26, as described above. Briggs teaches further comprising: enabling a transaction related to the identity-based activity. (***Briggs discloses FIG. 8D is a topic sharing interface. Both default and particular user or user group administration is supported. Tick boxes 891 and topic or sub topic names 892 can be used; Column 8 line 1-4)***

Regarding claim 37, Briggs taught the computer program product of claim 26, as described above. Briggs teaches further comprising: communicating with the at least one peer through a network. (***Briggs discloses tracked activity may include Internet activity 120, wireless network location track and interaction activity 121 and enterprise intranet activity 122; Column 4 line 65-68; Briggs further discloses so-called "buddies" identified on buddy lists of instant messaging products can share selected aspects of their computer usage experiences; Column 2 line 28-33) (Briggs further discloses aggregation tools and processes assemble statistics about user experiences across different bases, such as buddy lists, categories of users, and all service participants; Page 2 lines 38-41)***

Regarding claim 38, An apparatus for sharing identity-based activity with at least one peer, comprising: An application to detect identity-based activity; and a communications module communicatively coupled to the application, the communications module to provided an indication of the identity-based activity to at least one peer, the identity-based activity related to a user logged-in to the communication module, wherein identity-based activity comprise instances of active content by a user logged-in to the instant messaging module. (Briggs discloses the present invention includes methods and devices for passively tracking and selectively sharing user experiences with communication devices, including computers, web-enabled telephones, and PDAs; Abstract) (Briggs further discloses aggregation tools and processes assemble statistics about user experiences across different bases, such as buddy lists, categories of users, and all service participants; Page 2 lines 38-41) (Briggs discloses the VUD and VLD databases are readily extended to a visited item database 100, which could include items on a computer, intranet, extranet or any network. These items may be data such as multimedia files, XML documents, database searches or virtually any other material; Column 3 lines 39-43) (Liversidge discloses In addition, the VTE server 40 includes member registration services 78, providing functionality related to member authentication and authorization during user log-in; and utilities services 80 providing functionality related to team administration, including tracking and resolution of alarms, accumulation of various statistics and logs, encryption services and authentication routines. Finally, the VTE server 40 includes a conference manager

82 which interacts with the collaboration manager 76 to provide signaling and messaging functionality required for the initiation and control of communications; an instant messaging server 84 which interacts with the collaboration manager 76 to provide specialized services with respect to the management and control of instant messaging sessions; and a connection manager interface 86 which facilitates interaction between the VTE server 40 and the connection manager 52, and so facilitates messaging between each VTE client 4 and the VTE server 40; Page 7 paragraph 73)

Response to Arguments

8. Applicant's arguments with respect to claims 1-38 have been considered but are moot in view of the new ground(s) of rejection. Briggs in view of Liversedge teaches these limitations as noted above. Applicant's argument about activity server not being taught by Briggs, examiner disagrees. Briggs explains storing URL activities on VUD from users, which is considered to teach activity server by examiner. Thus the current claims do not over come prior art used above.

Conclusion

9. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Gerald Smarth whose telephone number is (571)270-1923. The examiner can normally be reached on Monday-Friday(7:30am-5:00pm)est.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jeff Pwu can be reached on (571)272-6798. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/G. S./

Examiner, Art Unit 2146

/Bunjob Jaroenchonwanit/

Supervisory Patent Examiner, Art Unit 2152